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Subject: RE: ADM 2003-22:10

I believe that the current system punishes good non-custodial parents in order to make up for bad non-custodial parents. The change of the shared economic responsibility from 128 nights to 52 is a step in the right direction.

Get rid of the "Overnight" stipulation

Reason 1:

I do not understand why shared time is based on "overnights". I see my kids from after school until 8 pm on Thursday's and all day Sunday (on my weekend). I provide all meals and other expenses on those days. The custodial parent basically puts them to bed. I do not, however, get any "shared economic" credit for providing for my children on those days. I think the calculation should be based on whoever has the children on weekends for the day (at least 8 hours on a weekend) . During the week, whoever has them after school for the evening should get credit. In the event that the kids are not in school during the day such as summer vacation, then whoever sees them the majority of the time for that day should get credit for the day (for formula calculations).

Reason 2:

It discourages the custodial parent from giving overnight parenting time based on economics (child support decrease). I currently see my children on Tuesday's overnight. It works out much better for the children than rushing them home by 8 pm as I do on Thursdays. It allows for more time for homework and to relax and go to bed. But using my scenario as an example, the custodial parent did not want my Thursday also to be overnight because that would have put me over the 128 night "shared economic" limit which would have cut child support quite a bit. So instead of doing what is best for the children, the custodial parent often is encouraged to what is best for the pocket book. Moving the limit from 128 to 52 will help, but custodial parents will still have incentive to limit overnights.

The system should encourage more evenly SHARED PARENTING TIME which is better for the children and not encourage doing what is best financially for the custodial parent.

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